Appendix 4.3

US Department of Agriculture Comments on the Kansas Regional Haze SIP

USDA United States Department of Agriculture | Forest Service | Rocky Mountain Region

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Date: APR 2 2008

Rick Brunetti
Director
Kansas Department of Health and Environment
Bureau of Air and Radiation
1000 SW Jackson, Suite 310
Topeka, KS 66612-1366

Dear Mr. Brunetti:

On November 1, 2007, the State of Kansas submitted a draft implementation plan describing your proposal to improve air quality regional haze impacts at mandatory Class I areas across your region. We appreciate the opportunity to work closely with the State through the initial evaluation, development, and, subsequent review of this plan. Cooperative efforts such as these ensure that, together, we will continue to make progress toward the Clean Air Act's goal of natural visibility conditions at all of our most pristine National Parks and Wilderness Areas for future generations.

This letter acknowledges that the U.S. Department of Agriculture, U.S. Forest Service (USFS) received and conducted a substantive review of your proposed Regional Haze Rule implementation plan in fulfillment of your requirements under the federal regulations 40 CFR 51.308(i)(2). Please note, however, that only the U.S. Environmental Protection Agency (EPA) can make a final determination regarding the document's completeness and, therefore, ability to receive federal approval from EPA.

Our review focused on eight basic content areas (see attachment). The content areas reflect priorities for the Federal Land Manager agencies. We are satisfied with the document as provided and offer no suggestions for change. For further information, please contact Bud Rolofson at (303) 275-5752.

Again, we appreciate the opportunity to work closely with the State of Kansas and compliment you on your hard work and dedication to significant improvement in our nation's air quality values and visibility.

Sincerely,

Cynthia Connell

for NORA RASURE
Acting Deputy Regional
Forester, Resources

cc: Bud Rolofson, Mark Boche, Ann E Mebane, Scott A Copeland, Jeff A Sorkin

Attachment
Subject: Regional Haze Rule Consultation with the USDA Forest Service, July 2006

The following perspectives are merely suggestions or recommendations not direction or requirements. They are deliberately very similar to those prepared by the Department of Interior to contribute to a common sense of purpose for improving haze in all Class I areas. We are sending these perspectives to each state. In so doing, we hope to facilitate inter-state coordination. At the same time, we fully acknowledge the discretion afforded in the RHR for unique and creative solutions by individual states in writing plans that reduce haze.

Natural Condition, and Uniform Rate
These factors apply mainly to States that have Class I areas. Other States that contribute to visibility impairment in Class I areas, located in a different state might consider including discussion and conclusions on these factors in their individual plans.

The basic calculation of baseline, natural condition, and uniform rate builds the foundation for the entire RHR SIP process. Considerable discussion and debate at the science and policy level has occurred regarding appropriate methods to be used. Consequently, several equations that include varying parameters or multipliers are available. Because these calculations can have a significant effect on the resulting progress goal, it is important to provide a detailed description of the methods used in the SIP. Calculations that include only portions of established methods or utilize unique approaches will be better understood if the rationale for these differences is fully explained in the SIP or its supporting documentation. We encourage states to use calculations that are based on equations recommended by the IMPROVE steering committee and that are consistent with recommended approaches from the pertinent RPO and the Environmental Protection Agency (EPA) region.

Emission Inventories
Given the complexities associated with modern comprehensive emission inventories, spending some considerable effort in describing how these inventories were developed and used will be important. Emission descriptions will be most informative if they include an evolutionary discussion that includes; an actual, base-year inventory used to evaluate model performance; a typical, base-year inventory that represents the five year, average state which establishes modeled visibility impacts; and various future year, controlled inventories that demonstrate future visibility conditions. Consider adding future year inventories that are clearly partitioned to delineate source types (by text, charts, or graphics) that are included in each model simulation. Benefits to future visibility conditions suggested in the SIP that are not also clearly linked to a future inventory or are not clearly included in future model analysis, will warrant additional discussion.

One part of your emission inventory includes the implementation of "Best Available Retrofit Technology" (BART) on a subset of pre-Prevention of Significant Deterioration sources. BART source identification, elimination, and level determination will be of particular interest for review. We would prefer to see a clear progression through the three basic BART phases and a thorough description of the RHR prescribed factor analysis (if applicable). Consider discussing whether BART levels apply to individual or grouped source categories.

Area of Influence

The area of influence of significant visibility-impairing sources is an important SIP element. We suggest that that each state clearly identify and apportion by State, or other geographic means, the significant levels of pollutants contributed to each Class I area by source. Developing this information together with neighboring States and Tribes will facilitate consistency. Discussions of changing source area contributions at both the base- and future-year levels will help demonstrate SIP progress. Consider the benefits of presenting this information in the form of transported mass by pollutant or through individually calculated visibility impairment measures. Using a percentage or "Top 10" ranking for current contributions by geographic area may or may not clearly describe progress over time.

Reasonable Progress Goals and Long Term Strategy

Establishing reasonable progress goals for Class I areas in your State and/or acknowledging reasonable progress goals for Class I areas in other States that are affected by emissions from your State, as well as defining associated emissions strategies to meet these goals, form the basis of the SIP process under the RHR.

In developing the statute's required Long Term Strategy (LTS), your State is offered broad flexibility when determining reasonable progress goals and associated emissions. As noted earlier, the RHR includes a requirement for States to assess a uniform rate of progress and compare that rate to the reasonable progress goals set by those states with Class I areas. We feel that this uniform rate of progress assessment is useful in determining the geographic and economic extent a State can consider when developing the LTS associated with the reasonable progress goals.

In general, we will be looking at the degree to which the LTS is supported by RPO technical work and at the level of consistency among the contributing States. For Class I areas where your State is setting a 2018 reasonable progress goal of equal or less impairment compared to the uniform rate of progress, our review will focus holistically on (1) whether strategies are applied equitably across source types, (2) if both local and regional emission strategies have been fully examined, and (3) how consistent assessments and strategies are applied regionally.

For Class I areas where the reasonable progress goal is more impaired than the uniform rate of progress, consider presenting information on a component basis. Components could consist of emission source category as before, but also include contributions from individual pollutants or by geographic source area. Our intent is to better understand where and why a strategy falls short of the uniform progress rate goal. Because each region has focused their emission control strategy on different conditions, presenting results in a component format may assist in showing what level of progress was made in the focus area, verses other less controllable factors.

Wildland Fire
Your state has considerable flexibility as it addresses all anthropogenic sources of visibility impairment, including fire. The RHR requires consideration of smoke management techniques for agricultural and forestry management practices in the development of the LTS part of the SIP. On a short-term basis, fire, both natural and anthropogenic, has the potential to cause significant visibility reduction in Class I areas. If anthropogenic fire contributes to the index used to track long-term, reasonable progress in a Class I area, the visibility SIP should identify how it will be addressed. Your state may already have a smoke management program (SMP) that adequately describes how visibility impairment from fire will be addressed. If fire has been determined to contribute to visibility impairment, we suggest including a fire emissions inventory along with a comment about its reliability and a projection for changes to the future inventory. If your state has a SMP, is it a basic smoke management program or an enhanced smoke management plan? And has the SMP been certified by EPA's Interim Air Quality Policy on Wildland and Prescribed Fire? Identify the specific SMP requirements for minimizing visibility impairment in Class I areas and classify the various types of wildland fire (wildfire, prescribed fire, and wildland fire use fire) as either natural or anthropogenic. Are there differences in state regulation for the way in which smoke from agricultural burning and forest fires are treated? Is there a difference in the way emissions from wildfire, prescribed fire and wildland-fire-use (WFU) fire are identified and treated on private, state and federal lands?

Regional Consistency
The RPOs have been working toward regionally consistent approaches to address visibility impairment throughout the SIP development process. There may be circumstances when different methods were used or impairment assessments reached different conclusions. The FLMs understand that each State knows what emission control methods or air quality management strategies work best for its areas. Each State may wish to develop strategies that are independent from RPO or neighboring areas.

In this context, our review of "regional consistency" will have less to do with individual discretion each State has in making decisions, and more on how well a group of States identifies and addresses similar, agreed upon goals for each Class I area within a common area of influence.

Regional consistency can also be difficult to evaluate if neighboring SIPs (or portions of SIPs) are released for review at different times. We expect that thorough inter-State consultation processes will lead to consistent descriptions of apportionment and emission control goals, thus resulting in development of similar progress goals, regardless of release dates.

Verification and Contingencies
Little emphasis has been placed in the RHR on verification and even less on contingency planning. By rule, each SIP must identify the monitoring data used to specify the original baseline and also as part of an ongoing progress review at five-year intervals. Given the uncertain future of any individual monitoring site, we suggest that the SIP address the representativeness of both primary and alternative data sites for each class I area.

Consider not only the data necessary to measure progress but also how to account for and mitigate both unexpected and reasonably foreseeable emissions growth, changes to the geographic distribution of emissions, and substantive errors that may be found in emission inventories or other technical bases of the SIPs. These factors, as well as other unanticipated circumstances, may adversely affect your state's ability to

achieve the emissions reductions projected by the SIP. Considering these factors through adaptive management or continual review strategies may assist in avoiding these circumstances.

Coordination and Consultation

The 1999 Regional Haze Rule requires States to consult with the Federal Land Management (FLM) agencies at least 60 days prior to holding any public hearing on a RHR SIP or SIP revision (40 CFR 51.308(i)). The federal land managers for each of the 88 Forest Service Class I areas are listed in attachment 2. As named in the cover letter to this attachment, a single Forest Service air specialist has been assigned to your state. He or she will facilitate the coordination of comments from multiple Forest Service FLMs if they exist in your state.